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Docket No. CDS-219

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert T. Belly et al.

Serial No. : 10/019,514

Art Unit:

I.A. Filing Date: May 1, 2000

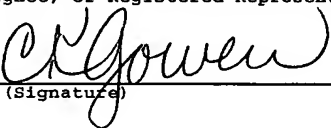
Examiner:

For : RAPID AND EFFICIENT CAPTURE OF DNA FROM SAMPLE
WITHOUT USING CELL LYSING REAGENT

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 2, 2004
(Date of Deposit)

Catherine Kurtz Gowen
(Name of applicant, assignee, or Registered Representative)


(Signature)

March 2, 2004
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure
Statement mailed on January 25, 2002.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37
C.F.R. §§1.97-1.98, information relating to the above-
identified application is hereby disclosed. Inclusion of
information in this statement is not to be construed as an
admission that this information is material as that term is
defined in 37 C.F.R. §1.56(b).

Applicants reserve the right to establish the
patentability of the claimed invention over any of the
information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e)
(attached); or

☐ Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

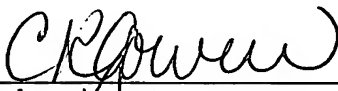
☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CDS-219/CKG. This form is submitted in triplicate.

Respectfully submitted,


Catherine K. Gowen
Reg. No. 32,148
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2681
DATED: March 2, 2004



PTO/SB/08A (08-00)
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/019,514
I. A. Filing Date	May 1, 2000
First Named Inventor	Robert T. Belly et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	CDS-219

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		4,683,195		Mullis et al.	7/28/1987	
		5,118,801		Lizardi et al.	6/2/1992	
		5,229,297		Schnipelsky et al.	7/20/1993	
		5,231,015		Cummins et al.	7/27/1993	
		5,312,728		Lizardi et al.	5/17/1994	
		5,380,489		Sutton et al.	1/10/1995	
		5,523,368		Ponticello et a.	6/4/1996	
		5,587,287		Scalice et al.	12/24/1996	
		5,702,884		Ekeze et al.	12/30/1997	
		5,925,517		Tyagi et al.	7/20/1999	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
		EP	0 953 635	A1	Ortho-Clinical Diagnostics, Inc.	11-03-1999		
		WO	99/004037	A1	Zeneca Limited	01-28-1999		

Examiner Signature	Date Considered
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. ⁶ 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 3

Application Number	10/019,514
I. A. Filing Date	May 1, 2000
First Named Inventor	Robert T. Belly et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	CDS-219

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		A;HNEN, D. J., ET AL., "Kl-ras Mutation and p53 Overexpression Predict the Clinical Behavior of Colorectal Cancer: A Southwest Oncology Group Study	
		ANDREYEV, H.J., ET AL., "Kirsten ras Mutations in Patients with Colorectal Cancer: the Multicenter "RASCAL" Study", Natl. Cancer Inst., (1998), 90(9), 675-684	
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		ROBERTS, N. J. ET AL., "Rapid, Sensitive Detection of Mutant Alleles in Codon 12 of K-ras by REMS-PCR", BioTechniques, (1999), 27(3):418-422	
		ROCHLITZ, C. F., ET AL., "Laboratory Methods, Use of the Polymerase Chain Reaction Technique to Create Base-Specific ras Oncogene Mutations", DNA, (1988), 7:515-519	
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		WARD, R., ET AL., "Restriction Endonuclease-Mediated Selective Polymerase Chain Reaction", Am. J. Pathol., (1998), 153:373-379	

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